

ENFORCEMENT REPORT TO THE COMMISSION FOR MAY 1995

July 26, 1995

DOCKET NO. 95-1094-RPT

PROGRAMS	FORMAL ACTIONS INITIATED BY EDR/PETITION, DRAFT ORDER FOR EXPEDITED CASES, OR NOTICE LETTER OF FORMAL ADMIN. PENALTY ACTION		AGREED ORDERS ADOPTED BY THE COMMISSION (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)		FISCAL YEAR 1995 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TNRCC (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)			
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS ¹	SEPs
AGRICULTURE	1	7	1	7	\$49,536.00	\$15,500.00	\$34,036.00	\$0.00
AIR	12	108	35	215	\$1,984,405.00	\$30,720.00	\$1,830,805.00	\$122,880.00
INDUSTRIAL AND HAZARDOUS WASTE	1	36	4	46	\$2,882,493.00	\$1,951,259.00	\$931,234.00	\$400,000.00
MUNICIPAL SOLID WASTE	2	17	2	16	\$338,624.00	\$177,380.00	\$156,644.00	\$9,200.00
OCCUPATIONAL CERTIFICATION	4	32	0	64	\$39,250.00	\$4,500.00	\$34,750.00	\$0.00
PETROLEUM STORAGE TANKS	27	66	3	115	\$246,610.73	\$4,100.00	\$242,510.73	\$0.00
WATERSHED MANAGEMENT	5	72	7	96	\$444,869.00	\$122,499.00	\$322,370.00	\$12,000.00
WATER UTILITIES	3	40	2	23	\$19,340.00	\$0.00	\$19,340.00	\$0.00
TOTALS	55	378	54	582	\$6,005,127.73	\$2,305,958.00	\$3,571,689.73	\$544,080.00

¹ All penalties collected are paid into the State's General Revenue Fund with the exception of water well driller orders which are paid into the Water Well Driller's Fund.

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PROGRAMS	NOTICES OF VIOLATION (NOVS) ISSUED BY CENTRAL OFFICE		NOVS ISSUED BY FIELD OPERATIONS		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS ²	CASES BEING TRACKED FOR COMPLIANCE ³
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	51	274	1	10	0	1	4	22
AIR	N/A ⁴	N/A	228	1542	2	36	368	1018
INDUSTRIAL AND HAZARDOUS WASTE	17	74	24	193	10	47	424	336
MUNICIPAL SOLID WASTE	3	52	65	544	8	25	28	167
OCCUPATIONAL CERTIFICATION	2	64	N/A	N/A	4	21	0	1
PETROLEUM STORAGE TANKS	49	243	88	630	1	33	267	118
WATERSHED MANAGEMENT	2	52	80	554	9	123	255	257

² Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

³ Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 2) is finalized.

⁴ N/A = Not Applicable.

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WATER UTILITIES	450	3729	106	1574	9	76	333	196
TOTALS	574	4488	592	5047	43	362	1679	2115

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TNRCC		CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL ⁵	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS ⁶		CASES REFERRED FROM THE REGIONAL OFFICES OR CENTRAL OFFICE FOR ENFORCEMENT ACTION BY CENTRAL OFFICE STAFF	
	Total	Backlog	Total	Month	FY	Month	FY
AGRICULTURE	4	0	2	0	0	1	6
AIR	368	151	49	0	2	38	164
INDUSTRIAL AND HAZARDOUS WASTE	115	55	72	0	6	18	128
MUNICIPAL SOLID WASTE	45	9	47	0	3	3	52
OCCUPATIONAL CERTIFICATION	15	0	43	0	1	0	0
PETROLEUM STORAGE TANKS	480	182	5	0	0	71	257
WATERSHED MANAGEMENT	66	8	19	0	2	19	159
WATER UTILITIES	102	33	156	1	13	32	342

⁵ AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

⁶ These numbers are obtained from the Attorney General's Office

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TOTALS	1195	438	393	1	27	182	1108
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